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PATENT

Case Docket No. NADII.018A  
Date: June 7, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Katagiri  
App. No. : 09/770,509  
Filed : January 25, 2001  
For : OOMYCETE FTSZ-MT AS A  
TARGET FOR OOMYCETE-  
SPECIFIC FUNGICIDES

I hereby certify that this correspondence  
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(Date)

Dale C. Hunt, Reg. No. 41,857

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ATTENTION: BOX MISSING PARTS

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Dear Sir:

In response to the Notice of Incomplete Nonprovisional Application Under 37 CFR 1.53(b), which was mailed by the Office on May 9, 2001, enclosed are:

- (X) Copy of Notice of Incomplete Nonprovisional Application
- (X) Petition to Establish Prior Receipt in the P.T.O. of item(s) considered as omitted by the P.T.O.
- (X) Copy of certificate of mailing by express mail
- (X) Copy of transmittal dated 1/25/2001
- (X) Copy of postcard with PTO stamp assigning Serial No. 09/770,509 and showing date of Express Mail deposit on 01/25/01
- (X) Seven (7) sheets of drawings
- (X) Return prepaid postcard
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

Dale C. Hunt  
Registration No. 41,857  
Attorney of Record



JUN 11 2001

PATENTS &amp; TRADEMARKS JC57

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/770,509	01/25/2001	Fumi Katagiri	NADII.018A
<p style="text-align: center;">SN Response to Missing Parts FORMALITIES LETTER July 9, 2001</p> <p style="text-align: right;">CONFIRMATION NO. 5860</p> <p style="text-align: right;">OC000000006056458*</p>			
<p style="text-align: center;">DUE DATE: July 9, 2001</p> <p style="text-align: center;">DCH DOP</p> <p style="text-align: center;">FILING DATE</p>			

Date Mailed: 05/09/2001

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

Adjustment date: 08/29/2002 YGIZAW  
 06/13/2001 SMINASSI 00000054 111410 09770509  
 02 FC:103 558.00 CR  
 03 FC:102 640.00 CR

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within TWO MONTHS of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

10/06/2001 Adjustment date: 08/29/2002 YGIZAW  
 FC:101 71.0.00 CR  
 06/13/2001 SMINASSI 00000054 111410 09770509  
 04 FC:101 558.00 CR  
 04 FC:102 640.00 CR

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

111410 09770509  
 The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1908.
  - \$ 558 for 31 total claims over 20.
  - \$ 640 for 8 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- The balance due by applicant is \$ 1908.

Adjustment date: 10/04/2002 MMARSH  
 09/14/2001 AMELLEY 0000006 111410 09770509  
 01 FC:103 130.00 CR

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
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*A copy of this notice **MUST** be returned with the reply.*



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PART 1 - ATTORNEY/APPLICANT COPY

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EL739676635US



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## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

**Attorney Docket No.** : NADII.018A  
**Applicant(s)** : Fumi Katagiri  
**For** : OOMYCETE FTSZ-MT AS A TARGET FOR  
OOMYCETE-SPECIFIC FUNGICIDES  
**Attorney** : Dale C. Hunt  
**"Express Mail"**  
**Mailing Label No.** : EL739676635US  
**Date of Deposit** : January 25, 2001

I hereby certify that the accompanying

Transmittal in duplicate; Specifications in 38 pages; 7 sheets of drawings (Figs. 1-3);  
Diskette containing Sequence List in 33 pages and Specification; Sequence Submission  
Statement; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee"  
service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner  
for Patents, Washington, D.C. 20231.

  
Carol Macarty

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